

# Federal Defenders OF NEW YORK, INC.

Southern District  
52 Duane Street, 10th Floor  
New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

Tamara Giwa  
*Executive Director*

Jennifer L. Brown  
*Attorney-in-Charge*

May 6, 2024

## **BY ECF**

Hon. J. Paul Oetken  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: United States v. Jeremy Joseph  
23 Cr. 068 (JPO)**

Dear Judge Oetken:

I write in response to Mr. Joseph's motion for sanctions against the Federal Defenders for failure to comply with the Court's orders concerning Mr. Joseph's case file. Doc. No. 83. The Federal Defenders respectfully opposes Mr. Joseph's motion, as we have timely complied with the Court's orders to provide Mr. Joseph's case file to him directly at the MDC. The Federal Defenders does not possess any records related to the above-captioned matter that have not already been sent to Mr. Joseph. Accordingly, sanctions are not warranted.

On February 8, 2024, the Court terminated the Federal Defenders as standby counsel and directed former standby counsel "to provide to Mr. Joseph at MDC a copy of the defense file, including any transcripts, memos, correspondence, and exhibits." Doc. No. 74. The next day, February 9, the Federal Defenders mailed to the MDC a hard drive with Mr. Joseph's entire case file, including but not limited to: all discovery not stamped AEO or APO;<sup>1</sup> all Court filings, including motions and accompanying exhibits and Court orders; all transcripts of court proceedings the Federal Defenders had ordered, including pretrial conferences and trial proceedings; all correspondence from standby counsel to Mr. Joseph; all letters between standby counsel and the government; all of the handwritten notes Mr. Joseph provided to standby counsel; and all records amassed as a result of the Federal Defenders' investigation of this case, including all subpoena returns received. *See* Ex. A.

On April 9, after Mr. Joseph complained that the hard drive sent to him by the Federal Defenders was "broken," the Court issued an order directing former standby counsel "to provide Mr. Joseph with copies of transcripts of the pretrial conferences and trial, as well as pertinent

<sup>1</sup> The Federal Defenders has not provided Mr. Joseph any of the Rule 16 discovery bates stamped AEO or APO under the protective order, but can provide those materials to the Court for the Court to determine whether Mr. Joseph should receive these materials.

documents from the case file including documents provided by Mr. Joseph to counsel previously.” Doc. No. 79. That week, the Federal Defenders mailed to Mr. Joseph hard copy transcripts of all pretrial conferences and trial proceedings, along with a hard copy of all of the handwritten documents Mr. Joseph had previously provided to standby counsel. The following week, the Federal Defenders mailed to the MDC another hard drive with Mr. Joseph’s entire case file. *See* Ex. B.

In addition to these productions, over the course of the Federal Defenders’ representation of Mr. Joseph as standby counsel, we have sent him hard copies and hard drives containing the information he now requests. *See* Ex. C. This includes all of the subpoena returns our office received and other materials gathered in the course of our representation, such as: subpoena returns from Wells Fargo, Outten & Golden, Boyar Miller, Houston Police Department, Geico, Norton LifeLock, San Francisco Police Department, Rice University Police Department; Harris County Probate Court records for Cause No. 491773, including Stella Joseph’s medical records as filed; documents related to Stacey Ajaja’s criminal case, as filed on the public docket; Mr. Joseph’s medical records from St. Joseph’s and Westbridge Recovery Center.

Mr. Joseph also requests the Federal Defenders return the hard copy of the book *Killers of the Flower Moon* and the original handwritten documents he provided to counsel. Doc. No. 83. Unfortunately, BOP facilities will not accept books sent to inmates directly from our office, but we can provide the book to Chambers. On May 3, 2024, we mailed to Mr. Joseph at Lewisburg FCI his original handwritten documents, along with hard copies of all of the handwritten notes standby counsel took during pretrial conferences and trial in this case.

In short, the Federal Defenders has provided Mr. Joseph with his entire case file in accordance with this Court’s February 8 and April 9, 2024 orders. To the extent that Mr. Joseph continues to complain of missing documents, the Federal Defenders does not possess any relevant case materials that we have not already sent directly to Mr. Joseph. Accordingly, the Court should deny Mr. Joseph’s motion.

Respectfully submitted,

/s/

Marne L. Lenox, Esq.

*Former Standby Counsel for Jeremy Joseph*

cc: Counsel of Record  
Jeremy Joseph, Defendant

# EXHIBIT A

# Federal Defenders OF NEW YORK, INC.

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton  
Executive Director

*Southern District of New York*  
Jennifer L. Brown  
Attorney-in-Charge

February 9, 2024

Metropolitan Detention Center  
Legal Department  
Attn: Sophia Papapetru  
80 29th St  
Brooklyn, NY 11232

Re: Records Hard Drive for Jeremy Joseph, Reg. No. 10547-506

Dear Ms. Papapetru:

Please find enclosed with this letter a hard drive containing the case file for Jeremy Joseph, Register Number 10547-506. Our office represented Mr. Joseph, then was subsequently relieved as counsel in 23 Cr. 068 (JPO), which is a federal criminal case in the Southern District of New York.

Please find below a brief summary of the contents of the hard drive:

- Entire Defense Case File

Copies of the Judge's Order directing the Federal Defenders provide Mr. Joseph a copy of the defense file, the Protective Order which has been issued in this case, and all relevant discovery production letters are enclosed. **All materials provided on the enclosed drive are intended for possession by Mr. Joseph;** any discovery materials designated APO (Attorney Possession Only), AEO (Attorney Eyes Only), or otherwise restricted from Mr. Joseph's possession have been excluded.

Thank you for your time and attention to this matter.

Sincerely,

John Lee  
Litigation Support  
212.417.8751  
[john\\_lee@fd.org](mailto:john_lee@fd.org)

cc: Marne Lenox  
Sofia Rao

# EXHIBIT B

Federal Defenders  
OF NEW YORK, INC.

Southern District  
52 Duane Street, 10th Floor  
New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

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Tamara Giwa  
*Executive Director*

Jennifer L. Brown  
*Attorney-in-Charge*

April 16, 2024

Metropolitan Detention Center  
Legal Department  
Attn: Sophia Papapetru  
80 29th St  
Brooklyn, NY 11232

Re: Records Hard Drive for Jeremy Joseph, Reg. No. 10547-506

Dear Ms. Papapetru:

Please find enclosed with this letter a hard drive containing the case file for Jeremy Joseph, Register Number 10547-506. Our office represented Mr. Joseph, then was subsequently relieved as counsel in 23 Cr. 068 (JPO), which is a federal criminal case in the Southern District of New York.

Please find below a brief summary of the contents of the hard drive:

- Entire Defense Case File

Copies of the Judge's Order directing the Federal Defenders provide Mr. Joseph a copy of the defense file, the Protective Order which has been issued in this case, and all relevant discovery production letters are enclosed. **All materials provided on the enclosed drive are intended for possession by Mr. Joseph**; any discovery materials designated APO (Attorney Possession Only), AEO (Attorney Eyes Only), or otherwise restricted from Mr. Joseph's possession have been excluded.

Thank you for your time and attention to this matter.

Sincerely,

John Lee  
Litigation Support  
212.417.8751  
[john\\_lee@fd.org](mailto:john_lee@fd.org)

cc: Marne Lenox  
Sofia Rao

# EXHIBIT C

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

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David E. Patton  
*Executive Director*

*Southern District of New York*  
Jennifer L. Brown  
*Attorney-in-Charge*

October 11, 2023

**PRIVILEGED & CONFIDENTIAL  
BY MAIL**

Jeremy Joseph, Reg. No. 10547-506  
MDC Brooklyn  
Metropolitan Detention Center  
P.O. Box 329002  
Brooklyn, NY 11232

Re: **United States v. Jeremy Joseph**  
**23 Cr. 68 (JPO)**

Dear Mr. Joseph,

I hope this letter finds you well. It was nice speaking with you today. Enclosed please find (1) a copy of the CorrLinks email I sent to you on 10/10/23, (2) documents related to Stacey Ajaja's criminal case, (3) your St. Joseph's Medical Records, and (4) your mother's medical records as filed in Harris County Probate Court.

Be well,

/s/

Marne L. Lenox  
Assistant Federal Defender

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

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David E. Patton  
*Executive Director*

*Southern District of New York*  
Jennifer L. Brown  
*Attorney-in-Charge*

October 17, 2023

**PRIVILEGED & CONFIDENTIAL  
BY MAIL**

Jeremy Joseph, Reg. No. 10547-506  
MDC Brooklyn  
Metropolitan Detention Center  
P.O. Box 329002  
Brooklyn, NY 11232

Re: **United States v. Jeremy Joseph**  
**23 Cr. 68 (JPO)**

Dear Mr. Joseph,

I hope this letter finds you well. Enclosed please find the subpoena returns from the San Francisco Police Department.

Be well,

/s/

Marne L. Lenox  
Assistant Federal Defender

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

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David E. Patton  
*Executive Director*

*Southern District of New York*  
Jennifer L. Brown  
*Attorney-in-Charge*

October 19, 2023

**PRIVILEGED & CONFIDENTIAL  
BY MAIL**

Jeremy Joseph, Reg. No. 10547-506  
MDC Brooklyn  
Metropolitan Detention Center  
P.O. Box 329002  
Brooklyn, NY 11232

Re: **United States v. Jeremy Joseph**  
**23 Cr. 68 (JPO)**

Dear Mr. Joseph,

I hope this letter finds you well. Enclosed please find the subpoena returns from Geico and Norton LifeLock.

Be well,

/s/

Marne L. Lenox  
Assistant Federal Defender

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

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David E. Patton  
*Executive Director*

*Southern District of New York*  
Jennifer L. Brown  
*Attorney-in-Charge*

October 23, 2023

**PRIVILEGED & CONFIDENTIAL  
BY MAIL**

Jeremy Joseph, Reg. No. 10547-506  
MDC Brooklyn  
Metropolitan Detention Center  
P.O. Box 329002  
Brooklyn, NY 11232

Re: **United States v. Jeremy Joseph**  
**23 Cr. 68 (JPO)**

Dear Mr. Joseph,

I hope this letter finds you well. Enclosed please find subpoena returns from Houston PD and additional subpoena returns from Geico.

Be well,

/s/

Marne L. Lenox  
Assistant Federal Defender

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

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David E. Patton  
*Executive Director*

*Southern District of New York*  
Jennifer L. Brown  
*Attorney-in-Charge*

October 24, 2023

**PRIVILEGED & CONFIDENTIAL  
BY MAIL**

Jeremy Joseph, Reg. No. 10547-506  
MDC Brooklyn  
Metropolitan Detention Center  
P.O. Box 329002  
Brooklyn, NY 11232

Re: **United States v. Jeremy Joseph**  
**23 Cr. 68 (JPO)**

Dear Mr. Joseph,

I hope this letter finds you well. Enclosed please find subpoena returns from Outten & Golden.

Be well,

/s/

Marne L. Lenox  
Assistant Federal Defender

# Federal Defenders OF NEW YORK, INC.

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

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David E. Patton  
Executive Director

*Southern District of New York*  
Jennifer L. Brown  
Attorney-in-Charge

October 30, 2023

Metropolitan Detention Center  
Legal Department  
Attn: Sophia Papapetru  
80 29th St  
Brooklyn, NY 11232

Re: Records Hard Drive for Jeremy Joseph, Reg. No. 10547-506

Dear Ms. Papapetru:

Please find enclosed with this letter a hard drive of records for Jeremy Joseph, Register Number 10547-506. This discovery was disclosed to our office by the United States Attorney's Office in reference to case number 23 Cr. 68 (JPO), which is a federal criminal case currently pending in the Southern District of New York.

Please find below a brief summary of the contents of the hard drive:

- 2023.10.27 Records Received from BoyarMiller

Thank you for your time and attention to this matter.

Sincerely,

Sofia Rao  
Paralegal  
212.417.8767  
[sofia.rao@fd.org](mailto:sofia.rao@fd.org)

cc: Marne Lenox

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

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David E. Patton  
*Executive Director*

*Southern District of New York*  
Jennifer L. Brown  
*Attorney-in-Charge*

November 2, 2023

**PRIVILEGED & CONFIDENTIAL  
BY MAIL**

Jeremy Joseph, Reg. No. 10547-506  
MDC Brooklyn  
Metropolitan Detention Center  
P.O. Box 329002  
Brooklyn, NY 11232

Re: **United States v. Jeremy Joseph**  
**23 Cr. 68 (JPO)**

Dear Mr. Joseph,

I hope this letter finds you well. Enclosed please find the Wells Fargo subpoena returns we received today.

Be well,

/s/

Marne L. Lenox  
Assistant Federal Defender

# Federal Defenders OF NEW YORK, INC.

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

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David E. Patton  
Executive Director

*Southern District of New York*  
Jennifer L. Brown  
Attorney-in-Charge

November 6, 2023

Metropolitan Detention Center  
Legal Department  
Attn: Sophia Papapetru  
80 29th St  
Brooklyn, NY 11232

Re: Records Hard Drive for Jeremy Joseph, Reg. No. 10547-506

Dear Ms. Papapetru:

Please find enclosed with this letter a hard drive of records for Jeremy Joseph, Register Number 10547-506. This discovery was disclosed to our office by the United States Attorney's Office in reference to case number 23 Cr. 68 (JPO), which is a federal criminal case currently pending in the Southern District of New York.

Please find below a brief summary of the contents of the hard drive:

- 2023.11.03 Records Received from Harris County, TX District Court
- 2023.11.03 Records Received from Harris County, TX Probate Court
- 2023.10.24 Records Received from Wells Fargo
- Guides on Trial Procedures as Mr. Joseph is pro se

Thank you for your time and attention to this matter.

Sincerely,

Sofia Rao  
Paralegal  
212.417.8767  
[sofia.rao@fd.org](mailto:sofia.rao@fd.org)

cc: Marne Lenox

# Federal Defenders OF NEW YORK, INC.

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
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David E. Patton  
Executive Director

*Southern District of New York*  
Jennifer L. Brown  
Attorney-in-Charge

November 20, 2023

Metropolitan Detention Center  
Legal Department  
Attn: Sophia Papapetru  
80 29th St  
Brooklyn, NY 11232

Re: Records Hard Drive for Jeremy Joseph, Reg. No. 10547-506

Dear Ms. Papapetru:

Please find enclosed with this letter a hard drive of records for Jeremy Joseph, Register Number 10547-506. This discovery was disclosed to our office by the United States Attorney's Office in reference to case number 23 Cr. 68 (JPO), which is a federal criminal case currently pending in the Southern District of New York.

Please find below a brief summary of the contents of the hard drive:

- Publicly accessible video clips for Mr. Joseph's trial defense research (see attached order)
- Mr. Joseph's records from Westbridge Recovery Center

Thank you for your time and attention to this matter.

Sincerely,

Sofia Rao  
Paralegal  
212.417.8767  
[sofia.rao@fd.org](mailto:sofia.rao@fd.org)

cc: Marne Lenox

# Federal Defenders OF NEW YORK, INC.

Southern District  
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Tel: (212) 417-8700 Fax: (212) 571-0392

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David E. Patton  
Executive Director

*Southern District of New York*  
Jennifer L. Brown  
Attorney-in-Charge

November 27, 2023

Metropolitan Detention Center  
Legal Department  
Attn: Sophia Papapetru  
80 29th St  
Brooklyn, NY 11232

Re: Records Hard Drive for Jeremy Joseph, Reg. No. 10547-506

Dear Ms. Papapetru:

Please find enclosed with this letter a hard drive of records for Jeremy Joseph, Register Number 10547-506. This discovery was disclosed to our office by the United States Attorney's Office in reference to case number 23 Cr. 68 (JPO), which is a federal criminal case currently pending in the Southern District of New York.

Please find below a brief summary of the contents of the hard drive:

- Mr. Joseph's records from BoyarMiller Law Firm
- Mr. Joseph's records from Rice University Police Department

Thank you for your time and attention to this matter.

Sincerely,

Sofia Rao  
Paralegal  
212.417.8767  
[sofia.rao@fd.org](mailto:sofia.rao@fd.org)

cc: Marne Lenox